

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY,)	CIVIL NO. CV07-00172 JMS-LEK
)	(Copyright)
Plaintiff,)	
)	DECLARATION OF LYLE S.
v.)	HOSODA
)	
DEUTSCHE BANK TRUST)	
COMPANY AMERICAS (FKA)	
BANKERS TRUST COMPANY), et)	
al.)	
)	
Defendants.)	
_____)	

DECLARATION OF LYLE S. HOSODA

LYLE S. HOSODA, do hereby state and declare as follows:

1. I am the principal attorney of the law firm of LYLE S.

HOSODA & ASSOCIATES, L.L.C., attorneys for Defendants Deutsche Bank Trust Company Americas (fka Bankers Trust Company) and JP Morgan Chase Bank.

2. I am licensed to practice law in all of the Federal and State courts in the State of Hawaii.

3. Attached hereto as Exhibit A is a true and correct copy of the Complaint filed on July 3, 2001 in Civil No. 01-00446 SPK/LEK in the United States District Court for the District of Hawaii.

4. Attached hereto as Exhibit B is a true and correct copy of the Special Verdict Form, filed on March 6, 2002 in Civil No. 01-00446 SPK/LEK in the United States District Court for the District of Hawaii.

5. Attached hereto as Exhibit C is a true and correct copy of the Second Amended Verified Complaint, filed on June 18, 2004 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

6. Attached hereto as Exhibit D is a true and correct copy of is a true and correct copy of the Order Granting Defendant Foodland's Motion for Summary Judgment; Granting Defendant Hawaii Transfer Company's Motion for Summary Judgment; and Granting in Part, Denying in Part Defendants Dillon, Noa, and Christensen's Motion for Summary Judgment, filed on January 26, 2005 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

7. Attached hereto as Exhibit E is a true and correct copy of the Order Denying Berry's Motion for Summary Judgment against AlixPartners; Order Granting AlixPartners' Countermotion for Summary Judgment, filed on June 17, 2005 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

8. Attached hereto as Exhibit F is a true and correct copy of the Order Granting in Part, Denying in Part Berry's Motion for Summary Judgment; Order Granting C&S Logistics of Hawaii, LLC, C&S Wholesale Grocers, Inc., C&S Acquisition, LLC, ES3, LL, and Richard Cohen's Motion for Summary Judgment; Order Granting Guidance Software, Inc. and Michael Gurzi's Motion for Summary Judgment; Order Granting in Part, Denying in Part Remaining Defendants' Motion for Summary Judgment, filed on June 27, 2005 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

9. Attached hereto as Exhibit G is a true and correct copy of the Special Verdict Form filed on March 7, 2006 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

10. Attached hereto as Exhibit H is a true and correct copy of the Order Adopting and Modifying the October 25, 2006 and December 4, 2006, Reports of Special Master on the Parties' Motions for Attorneys' Fees and Costs filed on March 2, 2007 in Civil No. 03-00385 SOM/LEK in the United States District Court for the District of Hawaii.

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I, LYLE S. HOSODA, do declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawaii, June 1, 2007.

/s/ Lyle S. Hosoda
LYLE S. HOSODA